

**The Florida Senate**  
**BILL ANALYSIS AND FISCAL IMPACT STATEMENT**

(This document is based on the provisions contained in the legislation as of the latest date listed below.)

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Prepared By: The Professional Staff of the Committee on Fiscal Policy

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BILL: CS/CS/CS/SB 462

INTRODUCER: Fiscal Policy Committee; Regulated Industries Committee; Transportation Committee;  
and Senator DiCeglie

SUBJECT: Transportation

DATE: April 9, 2025

REVISED: \_\_\_\_\_

	ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1.	<u>Johnson</u>	<u>Vickers</u>	<u>TR</u>	<u><b>Fav/CS</b></u>
2.	<u>Schrader</u>	<u>Imhof</u>	<u>RI</u>	<u><b>Fav/CS</b></u>
3.	<u>Johnson</u>	<u>Siples</u>	<u>FP</u>	<u><b>Fav/CS</b></u>

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**Please see Section IX. for Additional Information:**

COMMITTEE SUBSTITUTE - Substantial Changes

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**I. Summary:**

CS/CS/CS/SB 462 addresses various provisions relating to transportation. Specifically, the bill:

- Requires each county to annually submit to the Office of Economic and Demographic Research specified information regarding its use of the Charter County and Regional Transportation System Surtax.
- Increases maximum allowable speed limits on certain highways by five miles per hour.
- Prohibits airports from charging new landing fees for aircraft operations related to flight training operations conducted by certain institutions.
- Authorizes public-use airports to participate in the federal Airport Investment Partnership Program and make such airports eligible for certain state funds.
- Establishes a pilot program at the Sarasota Manatee Airport to determine the long-term feasibility of alternative airport permitting procedures.
- Authorizes the Florida Department of Transportation (FDOT) to use eminent domain to preserve a corridor for future proposed improvements.
- Authorizes FDOT to provide workforce development grants to state colleges and school districts to fund elective courses in heavy civil construction.
- Requires certain studies regarding capacity improvements on limited access facilities to evaluate the use of elevated roadways.
- Requires project development and environmental studies, to the maximum extent possible, be completed within 18 months.

- Provides requirements for FDOT to obtain reduced offers from bidders, and for rebidding certain contracts when it rejects all initial bids.
- Revises various provisions related to phased design-build contracts.
- Provides additional insurance requirements for bridge-related contracts over navigable waters.
- Authorizes FDOT to waive prequalification for certain contracts of \$1 million or less.
- Requires contractors seeking to bid on certain FDOT maintenance contracts to possess the qualifications and equipment needed to perform such work.
- Increases threshold amounts for contract disputes resolved by the State Arbitration Board.
- Revises provisions regarding metropolitan planning organizations, including requiring the exchange of best practices, and accountability and transparency requirements.
- Revises the geographic residency for two of the members of the governing body of the Greater Miami Expressway Agency.
- Requires FDOT to develop and submit a report regarding the widening of Interstate 4.

The bill has a potential fiscal impact on state and local governmental entities. *See* section V, “Fiscal Impact Statement” for details.

The bill takes effect July 1, 2025.

## **II. Present Situation:**

For ease of organization and readability, the present situation is discussed below with the effect of proposed changes.

## **III. Effect of Proposed Changes:**

### **County Transportation Project Data (Section 1)**

#### ***Present Situation***

Section 212.055(1), F.S., authorizes the Charter County and Regional Transportation System Surtax. Under that statute, each charter county, each county the government of which is consolidated with one or more municipalities, and each county that is within or under an interlocal agreement with a statutorily created regional transportation or transit authority<sup>1</sup> may levy a discretionary sales surtax of up to 1 percent. This surtax is subject to approval by a majority vote of the electorate of the county or by a charter amendment approved by a majority vote of the electorate of the county.<sup>2</sup>

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<sup>1</sup> These are the authorities created under chs. 343 and 349, F.S.

<sup>2</sup> Section 212.055(1)(a) and (b), F.S.

Based on the statutory criteria, 23 counties are eligible to levy the surtax.<sup>3</sup> In 2024, Broward County levied the surtax at 1 percent, and Duval and Miami-Dade counties levied the surtax at 0.5 percent.<sup>4</sup>

Generally, surtax proceeds may be expended by the county government or an expressway, transit or transportation authority for the planning, development, construction, operation, and maintenance of roads and bridges in the county; for the planning, development, expansion, operation, and maintenance of bus and fixed guideway systems; for the planning, development, construction, operation, and maintenance of on-demand transportation services; and for the payment of principal and interest on bonds issued for the construction of fixed guideway rapid transit systems, bus systems, roads, or bridges. Florida law authorizes additional uses of the surtax proceeds for Miami-Dade County.<sup>5</sup>

### *Effect of Proposed Changes*

The bill requires each county to annually by January 15 report to the Office of Economic and Demographic Research (EDR) all of the following information, by county fiscal year, for charter county and regional transportation surtax revenues received:

- The total proceeds from the surtax received by the county.
- The amount allocated by the county for road and bridge projects. EDR, in consultation with the Florida Department of Transportation (FDOT), must define broad categories, including, but not limited to, widening, repair and rehabilitation, sidewalks, or payment or pledge of bonds for the construction of roads or bridges, for reporting this information. This information must be reported as a total by category and by revenue source by category.
- The total expenditure on road and bridge projects by category.
- The unexpended balance of funds allocated to road and bridge projects by category.
- A list of current road and bridge projects, including the project cost, location, and scope.
- The amount allocated by the county to all other permissible uses of the proceeds from the surtax, excluding road and bridge projects and the payment or pledge of bonds for the construction of roads or bridges.

The bill requires counties to report the required information on the format specified by EDR. EDR must compile the information into a report and provide the report to the President of the Senate, the Speaker of the House of Representatives, and FDOT.

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<sup>3</sup> The counties eligible to levy the surtax are Alachua, Brevard, Broward, Charlotte, Clay, Columbia, Duval, Hernando, Hillsborough, Lee, Leon, Manatee, Miami-Dade, Orange, Osceola, Palm Beach, Pasco, Pinellas, Polk, Sarasota, Seminole, Volusia, and Wakulla.

<sup>4</sup> Office of Economic and Demographic Research, *2024 Florida Tax Handbook*, p. 245.

<https://edr.state.fl.us/content/revenues/reports/tax-handbook/taxhandbook2024.pdf> (last visited April 7, 2025).

<sup>5</sup> *Id.* at 246.

## **Speed Limits (Sections 2 and 3)**

### ***Present Situation***

Florida law prohibits a person from driving a vehicle on a highway at a speed greater than what is reasonable and prudent under current conditions and with regard to actual and potential hazard.<sup>6</sup>

Florida law also establishes minimum speed limits. On all highways on the National System of Interstate and Defense and have four or more lanes, the minimum speed is 40 miles per hour, except that when the posted speed limit is 70 miles per hour, then the minimum speed is 50 miles per hour.<sup>7</sup> Florida law establishes the following maximum allowable speed limits:

- On limited access highways - 70 miles per hour.<sup>8</sup>
- On divided highways outside an urban area of 5,000 or more persons, with at least four lanes - 65 miles per hour.<sup>9</sup>
- On other FDOT roadways - as FDOT deems safe and advisable, but not to exceed 60 miles per hour.<sup>10</sup>

Speeding violations are noncriminal traffic infractions, punishable as moving violations.<sup>11</sup> The statutory fines, based on the miles per hour above the speed limit are as follows:

- 1-5 mph - Warning
- 6-9 mph - \$25
- 10-14 mph - \$100
- 15-19 mph - \$150
- 20-29 mph - \$175
- 30 mph and above - \$250<sup>12</sup>

### ***Effect of Proposed Changes***

The bill requires FDOT to determine the safe and advisable minimum speed on all highways on the National System of Interstate and Defense Highways that have at least four lanes.

The bill increases maximum allowable speed limits as follows:

- For limited-access highways, from 70 to 75 miles per hour.
- For other highways outside an urban area that have at least four lanes and are a divided highway, from 65 to 70 miles per hour.
- For other roadways under FDOT's jurisdiction, from 60 to 65 miles per hour.

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<sup>6</sup> Section 316.183(1), F.S.

<sup>7</sup> Section 316.183(2), F.S.

<sup>8</sup> Section 316.187(2)(a), F.S.

<sup>9</sup> Section 316.187(2)(b), F.S.

<sup>10</sup> Section 316.187(2)(c), F.S.

<sup>11</sup> Sections 316.183(7) and 316.187(3), F.S. Penalties are as provided in ch. 318, F.S.

<sup>12</sup> Section 318.18(3)(b), F.S. In addition to these penalties, Florida law imposes or authorizes additional fees and surcharges.

## **Aircraft Landing Fees (Section 4)**

### ***Present Situation***

Florida law does not currently address aircraft landing fees charged by airports. A landing fee is an amount levied on an aircraft operator by the airport for landing and use of the runway. These fees help pay the cost of operating the airport and are typically based on the weight of the aircraft.<sup>13</sup>

In 2000, the Federal Aviation Administration (FAA) required aircraft to contain certain aircraft positioning equipment on general aviation equipment operating in certain airspace. This information has allowed airports to automatically invoice landing fees.<sup>14</sup>

Several collegiate institutions in Florida offer aviation-related programs, including Embry-Riddle Aeronautical University, Jacksonville University, the Florida Institute of Technology, and Everglades University.

### ***Effect of Proposed Changes***

The bill prohibits a publicly owned airport from charging a landing fee established on or after January 1, 2025, for aircraft operations conducted by an accredited nonprofit institution located in Florida which offers a 4-year collegiate aviation program, when such aircraft operations are for flight training necessary for pilot certification and proficiency.

## **Florida Airport Development and Assistance Act (Sections 5-7)**

### ***Present Situation***

The federal Airport Investment Partnership Program,<sup>15</sup> authorizes private companies to own, manage, lease, and develop public airports. Public airport sponsors and private operators may jointly manage an airport. The airport owner or leaseholder may be exempt from repayment of federal grants, return of property acquired with federal assistance, and the use of proceeds from the airport's sale or lease to be used exclusively for airport purposes.<sup>16</sup>

For purposes of the Florida Airport Development and Assistance Act,<sup>17</sup> the term “public-use airport” means any publicly owned airport which is used or to be used for public purposes.<sup>18</sup>

The term “eligible agency” means a political subdivision of the state or an authority which owns or seeks to develop a public-use airport.<sup>19</sup>

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<sup>13</sup> Simple Flying, *What Are Landing Fees in Aviation & Why Are They Important?* <https://simpleflying.com/aviation-landing-fees-guide/> (last visited April 7, 2025).

<sup>14</sup> Aircraft Owners and Pilots Association, *Florida cities, county prepare to impose new fees on airport users*, <https://www.aopa.org/news-and-media/all-news/2024/september/04/florida-cities-county-prepare-to-impose-new-fees-on-airport-users> (last visited April, 7, 2025).

<sup>15</sup> 49 U.S.C. s. 47134, the program was previously known as the Airport Privatization Pilot Program.

<sup>16</sup> Federal Aviation Administration, *Airport Investment Partnership Program, formerly Airport Privatization Pilot Program*, <https://www.faa.gov/airports/airport-compliance/privatization> (last visit March 28, 2025).

<sup>17</sup> Sections 332.003-332.007, F.S.

<sup>18</sup> Section 332.004(14), F.S.

<sup>19</sup> Section 332.004(7), F.S.

The Florida Airport Development and Assistance Act provides FDOT with certain statutory duties regarding aviation development and assistance. These duties include providing financial and technical assistance to airports,<sup>20</sup> and encouraging the maximum allocation of federal funds to local airport projects.<sup>21</sup>

FDOT's annual legislative budget request for aviation and airport development projects is based on the funding required for development projects in its aviation and airport work program. FDOT must prioritize funding to support the planning, design, and construction of proposed projects by local sponsors, with special emphasis on projects for runways and taxiways, including the painting and marking of runways and taxiways, lighting, other related airside activities, and airport access transportation facility projects on airport property.<sup>22</sup>

Section 332.007, F.S., authorizes FDOT to fund certain aviation and airport-related projects. The statute provides requirements and limits on airport funding from the State Transportation Trust Fund (STTF). Requirements can be based on the airport type, availability of federal funds, project type, and size of the airport.

Section 255.065, F.S., authorizes local jurisdictions, including counties, municipalities, and special districts to enter into public-private partnerships for qualifying projects, which include airport facilities, for a public purpose. That statute provides legislative findings and intent, requirements for project approval, a project qualification process, the requirements for agreements related to the partnership, powers and duties of the private entity, and other related provisions.

### *Effect of Proposed Changes*

The bill amends the Florida Airport Development and Assistance Act to change various references from airports to public-use airports.

The bill amends the definition of the term “eligible agency” to include a public-private partnership through a lease or agreement under s. 255.065, F.S., with a political subdivision of the state or an authority, which owns or seeks to develop a public-use airport.

The bill authorizes a municipality, county, or authority that owns a public-use airport to participate in the FAA's Airport Investment Partnership Program by contracting with a private partner to operate the airport under lease or agreement. Subject to the availability of appropriated funds from aviation fuel tax revenues, FDOT may provide for improvements to a municipality, county, or authority that has a private partner under the federal Airport Investment Partnership Program for capital costs of a discretionary improvement project at a public-use airport.

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<sup>20</sup> Section 332.006(4), F.S.

<sup>21</sup> Section 332.006(8), F.S.

<sup>22</sup> Section 332.007(4)(a), F.S.

## **Sarasota Manatee Airport Authority Pilot Program (Section 8)**

### ***Present Situation***

The Sarasota Manatee Airport Authority (SMAA) is an independent special district that operates and manages the Sarasota Bradenton International Airport.<sup>23</sup> The airport is located in both Sarasota and Manatee counties, including within the City of Sarasota.

### ***Effect of Proposed Changes***

The bill establishes a pilot program with the SMAA in order to determine long-term feasibility of alternative airport permitting procedures, such as those provided in s. 553.80, F.S., relating to the enforcement of the Florida Building Code, s. 1013.33, F.S., relating to the coordination of planning with local governing bodies relating to public educational facilities, and s. 1013.371, F.S., relating to public educational facilities and their conformity to building codes.

The bill requires FDOT to, by December 1, 2027, submit recommendations to the President of the Senate and the Speaker of the House of Representatives about how to expand the pilot program to additional airports, amend the pilot program to increase effectiveness, or terminate the pilot program.

The bill requires FDOT to adopt rules as necessary to implement the program.

The bill provides repeals the pilot program June 30, 2028, unless it is reviewed and reenacted by the Legislature.

## **FDOT - Eminent Domain Authority (Section 9)**

### ***Present Situation***

Eminent domain refers to the government's power to take private property and convert it into public use. The Fifth Amendment of the United States Constitution provides that the government may only exercise the power of eminent domain if it provides just compensation to the property owners.<sup>24</sup>

Similarly, Article X, section 6(a) of the Florida Constitution provides that "[n]o private property shall be taken except for a public purpose and with full compensation therefor paid to each owner or secured by deposit in the registry of the court and available to the owner."<sup>25</sup>

FDOT may acquire, by eminent domain, all property or property rights, whether public or private, which it determines necessary to perform its duties or execute its powers.<sup>26</sup>

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<sup>23</sup> The Sarasota-Manatee Airport Authority is codified in chapters 2003-309, 2004-401, 2006-361, 2010-262, and 2015-185, Laws of Fla.

<sup>24</sup> Cornell Law School, Legal Information Institute, *Eminent Domain*, [https://www.law.cornell.edu/wex/eminent\\_domain#:~:text=Eminent%20domain%20refers%20to%20the,compensation%20to%20the%20property%20owners](https://www.law.cornell.edu/wex/eminent_domain#:~:text=Eminent%20domain%20refers%20to%20the,compensation%20to%20the%20property%20owners). (last visited Mar. 28, 2025).

<sup>25</sup> Florida's eminent domain laws are codified in chs. 73 and 74, F.S.

<sup>26</sup> Section 334.044(6), F.S.

FDOT has the statutory authority to condemn all necessary lands and property, whether public or private, for the purpose of securing and utilizing transportation rights-of-way, including a FDOT-designated transportation corridor.<sup>27</sup> Florida’s statutory definition of the term “transportation corridor” includes all property or property interests necessary for future transportation facilities for the purpose of securing and utilizing future transportation rights-of-way.<sup>28</sup>

### ***Effect of Proposed Changes***

The bill authorizes FDOT to use its eminent domain authority in advance to preserve a transportation corridor for future proposed improvements.

## **FDOT - Workforce Development (Section 9)**

### ***Present Situation***

Florida law authorizes FDOT to provide a construction workforce development program, in consultation with affected stakeholders, to deliver projects in FDOT's work program.<sup>29</sup> FDOT must annually allocate \$5 million to this program.<sup>30</sup>

### ***Effect of Proposed Changes***

The bill authorizes FDOT to annually expend, in fiscal years 2025-2026 through 2029-2030, up to \$5 million, from the STTF, for grants to state colleges and school districts, prioritizing colleges and school districts located in counties in rural communities.<sup>31</sup> These grants may be used to purchase equipment simulators and a companion curriculum, and to support offering an elective course in heavy civil construction. The course must, at a minimum, provide the student with federal Occupational Safety and Health Administration certification and fill equipment simulator certification.

## **Center for Urban Transportation Research (Section 10)**

### ***Present Situation***

The Center for Urban Transportation Research (CUTR) is established at the University of South Florida (USF). CUTR’s responsibilities include conducting and facilitating research on issues related to Florida’s urban transportation problems and serving as an information exchange and depository for the most current information pertaining to urban transportation and related issues.<sup>32</sup>

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<sup>27</sup> Section 337.27(1), F.S.

<sup>28</sup> Section 334.03(29)(b), F.S.

<sup>29</sup> Section 334.044(35), F.S. FDOT’s work program is developed pursuant to s. 339.135, F.S.

<sup>30</sup> Section 339.84, F.S. This is beginning in the 2023-2024 fiscal year and for five years thereafter. These funds are from the STTF.

<sup>31</sup> Section 288.0656(2)(e), F.S., defines the term “rural community” to mean a county with a population of 75,000 or fewer; a county with a population of 125,000 or fewer which is contiguous to a county with a population of 75,000 or fewer; a municipality within a county above; or an unincorporated federal enterprise community or an incorporated rural city with a population of 25,000 or fewer and an employment base focused on traditional agricultural or resource-based industries, located in a county not defined as rural, which has at least three or more of the economic distress factors and verified by the Department of Commerce.

<sup>32</sup> Section 334.065(1), F.S.



CUTR's advisory board reviews and advises CUTR concerning its research program. Except for projects mandated by law, CUTR may not undertake state-funded projects without advisory board approval. CUTR's advisory board consists of nine transportation-related experts, including:

- The Secretary of Transportation or his or her designee.
- The Secretary of Environmental Protection or his or her designee.
- The Secretary of Commerce or his or her designee.
- A member of the Florida Transportation Commission.

The nomination of the remaining board members is made to USF's President by the USF College of Engineering. The appointments of these members are reviewed and approved by the Florida Transportation Commission and confirmed by the Board of Governors.<sup>33</sup>

### ***Effect of Proposed Changes***

The bill amends CUTR's advisory board to consist of nine transportation-related experts including the following:

- A member appointed by the President of the Senate.
- A member appointed by the Speaker of the House of Representatives.
- The Secretary of Transportation or his or her designee.
- The Secretary of Commerce or his or her designee.
- A member of the Florida Transportation Commission.
- Four members recommended to the President of USF by USF's College of Engineering, whose appointments must be approved by USF's president.

## **FDOT – Project Concept Studies (Section 11)**

### ***Present Situation***

FDOT conducts Project Development and Environment (PD&E) studies to meet federal National Environmental Policy Act<sup>34</sup> requirements. During these studies, FDOT determines the location and conceptual design of feasible build alternatives for roadway improvements and the social, economic, and environmental effects of such improvements. Throughout the study, a no-build alternative, where roads are left in their present state with routine maintenance, remains a viable alternative. A PD&E study is finalized when the Federal Highway Administration reviews the study's documentation and recommendations and provides a Location and Design Concept Acceptance.<sup>35</sup>

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<sup>33</sup> Section 334.065(3), F.S.

<sup>34</sup> Pub. L. 91-190; 83 Stat. 852.

<sup>35</sup> FDOT District 7, *What is a PD&E Study*, <https://www.fdotd7studies.com/projects/what-is-a-pde-study/>. (last visited Mar. 27, 2025).

***Effect of Proposed Changes***

The bill requires project concept studies<sup>36</sup> and PD&E studies for capacity improvement projects on limited access facilities<sup>37</sup> to evaluate alternatives providing transportation capacity using elevated roadways above existing lanes.

The bill also requires PD&E studies for new alignment projects and capacity improvement projects to be completed to the maximum extent possible within 18 months after the date of commencement.

**Awarding of FDOT Contracts (Section 12)*****Present Situation***

FDOT may award a contract for proposed construction and maintenance work to the lowest responsible bidder, or with a time-plus-money contract, the lowest evaluated responsible bidder, or it may reject all bids and rebid the work or otherwise perform the work.<sup>38</sup>

***Effect of Proposed Changes***

If FDOT intends to reject all bids on any project after announcing, but before posting official notice of its intent, the bill requires FDOT to provide to the lowest responsive, responsible bidder the opportunity to negotiate the scope of work with a corresponding reduction in price, as provided in the bid, to provide a reduced bid without filing a protest or posting a bond. Upon reaching a decision regarding the lowest bidder's reduced bid, FDOT must post notice of final agency action to either reject all bids or accept the reduced bid.

This does not prohibit any bidder from filing a protest or altering the statutory deadlines related to bid protests.<sup>39</sup>

The bill provides that notwithstanding s. 120.57(3)(c), F.S., relating to bid protests and s. 287.057(25), F.S., relating to a disclosure on the procurement of solicitations, upon receipt of a timely-filed formal written protest, FDOT may continue this process, but it may not take final agency action as to the lowest bidder except as part of its final agency action in the protest or upon the protesting party's dismissal of the protest.

**FDOT Phased Design-Build Contracts (Section 12)*****Present Situation***

FDOT may enter into phased-design build contracts, where contract selection and award is done with a two-phase process. For phase one, FDOT competitively awards the contract, based upon

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<sup>36</sup> The term "project concept study" is not defined in federal or state law.

<sup>37</sup> Section 334.03(12), F.S., defines the term "limited access facility" to mean a street or highway especially designed for through traffic, and over, from, or to which owners or occupants of abutting land or other persons have no right or easement of access, light, air, or view by reason of the fact that their property abuts upon such limited access facility or for any other reason. Such highways or streets may be facilities from which trucks, buses, and other commercial vehicles are excluded; or they may be facilities open to use by all customary forms of street and highway traffic.

<sup>38</sup> Section 337.11(4), F.S.

<sup>39</sup> The statutory deadlines relating to bid protests are in s. 120.57(3), F.S.

qualifications, to a design-build firm. For phase two, the design-build firm competitively bids construction trade subcontractor packages and based upon these bids, negotiates with FDOT a price that meets the project's budget and scope.<sup>40</sup>

### ***Effect of Proposed Changes***

The bill requires FDOT, for phased design-build projects, to competitively award the contract to a qualified firm, provided that FDOT receives at least three statements of qualification from qualified firms. If during phase one, FDOT elects, based upon qualifications, to enter into contracts with more than one design-build firm, FDOT must competitively select a single design-build firm to perform the work associated with phase two.

The bill authorizes the design-build firm to self-perform portions of the project's work and use estimates related to this self-performance to negotiate with FDOT.

### **Marine General Liability Insurance (Section 12)**

#### ***Present Situation***

FDOT requires each contractor to indemnify and hold harmless FDOT and its officers and employees from liabilities, damages, losses, and costs, including, but not limited to, reasonable attorney's fees, to the extent caused by the negligence, recklessness, or intentional wrongful misconduct of the contractor and persons employed or utilized by the contractor in the performance of the construction contract.<sup>41</sup>

FDOT also requires each contractor to carry commercial general liability insurance that provides continuous coverage for all work and operations provided under the contract. Additional requirements exist for construction adjacent to railroad tracks and certain utility facilities.<sup>42</sup>

Since commercial general liability insurance policies exclude marine work, marine general liability insurance is designed to protect against claims of liability for bodily injury, property damage, and personal injury for those who work on or near the water. These classes include ship repairers, marina operators, charterers, stevedores, and terminal operators.<sup>43</sup>

Each contract let by FDOT to perform bridge construction or maintenance over navigable waters must require marine general liability insurance, in an amount determined by FDOT, to cover third-party personal injury and property damage caused by vessels used by the contractor in the performance of the work.<sup>44</sup>

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<sup>40</sup> Section 337.11(7)(b), F.S. The project's budget and scope are as advertised in the request for qualifications.

<sup>41</sup> DOT Specs Book (January 2017) at Section 7-12.1, <https://www.fdot.gov/docs/default-source/programmanagement/implemented/specbooks/january2017/files/007-117.pdf> (last visited Mar. 28, 2025).

<sup>42</sup> *Id.* at Sections 7-13.2, 7-13.3, and 7-13.4.

<sup>43</sup> Kelly White and Associates Insurance, LLC, *Marine General Liability Insurance*, <https://kwhiteinsurance.com/marine-insurance/#:~:text=Marine%20General%20Liability%20protects%20against,%2C%20stevedores%2C%20and%20terminal%20operators> (last visited Mar. 28, 2025).

<sup>44</sup> Section 337.11(15), F.S.

***Effect of Proposed Changes***

The bill requires a contract let by FDOT on or after July 1, 2025, for work requiring a contractor to have marine general liability insurance, that such insurance includes protection and indemnity coverage. The contractor may receive this additional coverage by an endorsement on its marine general liability insurance policy or from a separate insurance policy.

**Application for Qualification (Section 13)*****Present Situation***

Under Florida law any contractor desiring to bid on a construction contract in excess of \$250,000 must be certified as qualified by FDOT.<sup>45</sup> FDOT's contractor certification rules address these qualifications and provide requirements regarding a contractor's equipment, past record, experience, financial resources, and organizational personnel.<sup>46</sup>

FDOT may waive prequalification for projects of \$500,000 or less if FDOT determines that the project is of a noncritical nature and the waiver will not endanger public health, safety, or property.<sup>47</sup>

***Effect of Proposed Changes***

The bill authorizes FDOT to waive its prequalification requirements for push-button contracts of \$1 million or less. Push-button contracts are contracts with diverse scope of work that may or may not be performed.

**FDOT Contractor Certification (Section 13)*****Present Situation***

Certification by FDOT is required in order for a contractor to bid on a road, bridge, or public transportation construction contract of more than \$250,000. However, prior to the award of the contract, the successful bidder must furnish a contract bond. FDOT may waive all or a portion of the bonding requirement for contracts of \$150,000 or less.<sup>48</sup>

***Effect of Proposed Changes***

The bill increases the maximum contract amount for which FDOT may waive bond requirements from \$150,000 to \$250,000.

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<sup>45</sup> Certification for qualification is pursuant to s. 337.14, F.S., and FDOT rules.

<sup>46</sup> Section 337.14(1), F.S.

<sup>47</sup> Section 337.14(1), F.S.

<sup>48</sup> Section 337.14(2), F.S.

## **FDOT Maintenance Contracts (Section 13)**

### ***Present Situation***

Section 337.14(8), F.S., provides that s. 337.14, F.S., which relates to the applications for qualification and certificates of qualification for FDOT contractors, does not apply to maintenance contracts.

### ***Effect of Proposed Changes***

The bill amends s. 337.14(8), F.S., requiring a contractor seeking to bid on a maintenance contract in which the majority of the work includes repair and replacement of safety appurtenances, including, but not limited to, guardrails, attenuators, traffic signals, and striping, to possess the prescribed qualifications equipment, record, and experience to perform such repair and replacement.

## **State Arbitration Board (Section 14)**

### ***Present Situation***

The State Arbitration Board (SAB), within FDOT, facilitates the prompt resolution of claims arising out of or in connection with FDOT's construction or maintenance contract.<sup>49</sup> A contractor<sup>50</sup> may submit a claim<sup>51</sup> of greater than \$250,000 up to \$1 million per contract or, upon agreement of the parties, up to \$2 million per contract for arbitration by the SAB. A SAB-issued award is final, unless a request for a trial de novo is filed within the time frame provided by Rule 1.830, Florida Rules of Civil Procedure.<sup>52</sup>

Parties may not make an arbitration request prior to FDOT's final acceptance of the project,<sup>53</sup> but such requests must be made within 820 days after final acceptance.<sup>54</sup>

### ***Effect of Proposed Changes***

The bill authorizes the SAB to arbitrate a claim of up to \$2 million, instead of the current \$1 million or, upon agreement, claims greater than \$2 million.

The bill provides that an arbitration request related to a written warranty notice provided by FDOT must be made within 360 days such notice or 820 days after final acceptance, whichever is later.

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<sup>49</sup> Section 337.185(1), F.S.

<sup>50</sup> Section 337.185(2)(b), F.S., defines the term "contractor" to mean a person or firm having a contract for rendering services to FDOT relating to the construction or maintenance of a transportation facility.

<sup>51</sup> Section 337.185(2)(a), F.S., defines the term "claim" to mean the aggregate of all outstanding written requests for additional monetary compensation, time, or other adjustments to the contract, the entitlement or impact of which is disputed by FDOT and could not be resolved by negotiation between FDOT and the contractor.

<sup>52</sup> Section 337.185(4), F.S.

<sup>53</sup> Section 337.185(2)(c), F.S., defines the term "final acceptance" to mean that the contractor has completely performed the work provided for under the contract, FDOT or its agent has determined that the contractor has satisfactorily completed the work provided for under the contract, and FDOT or its agent has submitted written notice of final acceptance to the contractor.

<sup>54</sup> Section 337.185(5), F.S.

## **Metropolitan Planning Organizations (Section 15)**

A metropolitan planning organization (MPO) is a policy board created and designated to carry out the metropolitan transportation planning process.<sup>55</sup> MPOs are required to represent localities in all urbanized areas with populations over 50,000, as determined by the U.S. Census.<sup>56</sup> Currently, Florida has 27 MPOs, the largest number of MPOs in the nation.<sup>57</sup>

Federal law and regulations give MPOs, in coordination with FDOT and others, significant transportation planning responsibility. Federal law requires MPOs to be designated for each urbanized area with a population of more than 50,000 individuals by agreement between the Governor and units of general-purpose local government that together represent at least 75 percent of the affected population, including the largest incorporated city; or in accordance with procedures established by applicable state or local law.<sup>58</sup>

### ***MPO Purpose/Intent***

#### ***Present Situation***

Florida law provides legislative intent to encourage and promote the safe and efficient management, operation, and development of surface transportation systems that will serve the mobility needs of people and freight and foster economic growth and development within and through the state's urbanized areas while minimizing transportation-related fuel consumption, air pollution, and greenhouse gas emissions through metropolitan transportation planning processes.<sup>59</sup>

To accomplish these objectives, MPOs must develop, in cooperation with the state and public transit operators, transportation plans and programs for metropolitan areas. These plans and programs must provide for the development and integrated management and operation of transportation systems and facilities that will function as an intermodal transportation system for the metropolitan area.<sup>60</sup>

#### ***Effect of Proposed Changes***

The bill amends legislative intent regarding MPOs to emphasize:

- Developing multimodal transportation systems, instead of surface transportation systems; and
- Serving the mobility needs of people and freight and fostering economic growth and development throughout the urbanized areas of this state in accordance with FDOT's mission statement.

FDOT's mission is to provide a safe statewide transportation system that promotes the efficient movement of people and goods, supports the state's economic competitiveness, prioritizes

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<sup>55</sup> 23 C.F.R. § 450.104.

<sup>56</sup> Federal Transit Administration, *Metropolitan Planning Organization*, <https://www.transit.dot.gov/regulations-and-guidance/transportation-planning/metropolitan-planning-organization-mpo> (last visited March 28, 2025).

<sup>57</sup> A list and a map of Florida's MPOs is available at: <https://www.mpoac.org/mpos/> (last visited March 28, 2025).

<sup>58</sup> 23 U.S.C., § 134(d)(1)

<sup>59</sup> Section 339.175(1), F.S.

<sup>60</sup> *Id.*

Florida's environment and natural resources, and preserves the quality of life and connectedness of the state's communities.<sup>61</sup>

### ***MPO Designation***

#### ***Present Situation***

An MPO must be designated for each urbanized area of the state. However, an individual MPO is not required to be designated for each urbanized area. MPO designation is done by agreement between the Governor and the general-purpose local governments representing at least 75 percent of the urbanized area's population. However, the general-purpose local government representing the central city or cities within the MPO must be a party to the agreement.<sup>62</sup>

To the extent possible, only one MPO may be designated for each urbanized area or group of contiguous urbanized areas. More than one MPO may be designated within an existing urbanized area only if the Governor and the existing MPO determine that the existing urbanized area's size and complexity makes designating more than one MPO for the area appropriate, in which case each MPO designated for the area must:

- Consult with every other MPO designated for the urbanized area and the state to coordinate plans and transportation improvement programs.
- Ensure, to the maximum extent practicable, the consistency of data used in the planning process, including data used in forecasting travel demand within the urbanized area.<sup>63</sup>

MPO boundaries are determined by agreement between the Governor and the MPO. The MPO's boundaries must include at least the metropolitan planning area but may encompass the entire metropolitan statistical area or the consolidated metropolitan statistical area.<sup>64</sup>

#### ***Effect of Proposed Changes***

The bill provides that after July 1, 2025, no additional MPOs may be designated in Florida except in urbanized areas<sup>65</sup> where the urbanized area is not contiguous to an urbanized area designated before the 2020 census.

The bill repeals the requirement that when there is more than one MPO in an urbanized area, the MPOs must consult with every other MPO in the urbanized area and the state to coordinate plans and transportation improvement programs and to ensure consistency in data used in the planning process.

### ***MPO Powers, Duties, and Responsibilities***

#### ***Present Situation***

Each MPO must perform all acts necessary to qualify for federal aid, and each MPO must be involved in transportation planning and programming to the extent permitted by state or federal

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<sup>61</sup> FDOT, *Mission, Vision, and Values*, <https://www.fdot.gov/info/moredot/mvv.shtm> (last visited April 7, 2025).

<sup>62</sup> Section 339.175(2)(a)1., F.S.

<sup>63</sup> Section 339.175(2)(a)2., F.S.

<sup>64</sup> Section 339.175(2)(a)3., F.S.

<sup>65</sup> This is as defined by the United States Bureau of the Census.

law. However, an MPO may not perform project production or delivery for capital improvement projects on the State Highway System.<sup>66</sup>

In developing its long-range transportation plan (LRTP)<sup>67</sup> and the transportation improvement program (TIP),<sup>68</sup> each MPO must consider projects and strategies that will:

- Support the economic vitality of the contiguous urbanized metropolitan area, especially by enabling global competitiveness, productivity, and efficiency.
- Increase the safety and security of the transportation system for motorized and nonmotorized users.
- Increase the accessibility and mobility options available to people and for freight.
- Protect and enhance the environment, promote energy conservation, and improve quality of life.
- Enhance the integration and connectivity of the transportation system, across and between modes and contiguous urbanized metropolitan areas, for people and freight.
- Promote efficient system management and operation.
- Emphasize the preservation of the existing transportation system.
- Improve the resilience of transportation infrastructure.<sup>69</sup>

To more fully accomplish an MPO's purposes, MPOs must develop coordination mechanisms with one another to expand and improve transportation within the state.<sup>70</sup>

#### *Effect of Proposed Changes*

The bill amends the considerations required by each MPO in developing its LRTP and TIP to include conserving natural resources, instead of promoting energy conservation. Additionally, MPOs must consider projects and strategies to reduce traffic and congestion.

The bill requires FDOT to, at least annually, convene MPOs of similar size, based on population served, to exchange best practices.

The bill authorizes MPOs to develop committees or working groups as needed to accomplish such purpose. At FDOT's discretion, training for new MPO governing board members must be provided by FDOT, by an entity pursuant to a contract with FDOT, by the Center for Urban Transportation Research at the University of South Florida, or by Implementing Solutions for Transportation Research and Evaluation of Emerging Technologies (I-STREET) Living Lab at the University of Florida.

#### ***MPO Consolidation Report***

##### *Present Situation*

By December 31, 2023, the MPOs serving Hillsborough, Pasco, and Pinellas counties were required to submit a feasibility report to the Governor, the President of the Senate, and the

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<sup>66</sup> Section 339.175(6), F.S.

<sup>67</sup> The long-range transportation plan is developed pursuant to s. 339.175(7), F.S.

<sup>68</sup> The transportation improvement program is developed pursuant to s. 339.175(8), F.S.

<sup>69</sup> Section 339.175(6)(b), F.S.

<sup>70</sup> Section 339.175(6)(j)1., F.S.



Speaker of the House of Representatives exploring the benefits, costs, and process of consolidation into a single MPO serving the contiguous urbanized area, the goals of which would be to:

- Coordinate transportation projects deemed to be regionally significant.
- Review the impact of regionally significant land use decisions on the region.
- Review all proposed regionally significant transportation projects in the transportation improvement programs.<sup>71</sup>

#### *Effect of Proposed Changes*

The bill repeals this obsolete report requirement.

### ***MPO Long-Range Transportation Plans***

#### *Present Situation*

Each MPO must develop an LRTP addressing at least a 20-year planning horizon. The LRTP must include both long-range and short-range strategies. The prevailing principles to be considered in the LRTP are preserving the existing transportation infrastructure; enhancing Florida's economic competitiveness; and improving travel choices to ensure mobility.<sup>72</sup>

The LRTP must be consistent, to the maximum extent feasible, with future land use elements and the goals, objectives, and policies of the approved local government comprehensive plans of the local government within the MPO. Each MPO is encouraged to consider strategies integrating transportation and land use planning to provide for sustainable development and reduce greenhouse gas emissions. Local governments must consider LRTPs in developing transportation elements in local government comprehensive plans.<sup>73</sup>

In developing its LRTP, each MPO must provide the public and other interested parties with a reasonable opportunity to comment. The MPO must approve its LRTP.<sup>74</sup>

#### *Effect of Proposed Changes*

The bill revises provisions relating to MPO LRTPs by removing the requirement that multiple MPOs within a contiguous urbanized area must coordinate the development of LRTPs to be reviewed by the MPOAC.

The bill includes public-private partnerships in the list of innovative financing techniques that MPOs may consider.

Regarding transportation enhancement activities, the bill includes the integration of advanced air mobility and integration of autonomous and electric vehicles, electric bicycles, and motorized scooters used for freight, commuter or micromobility purposes. The bill removes historic preservation, mitigation of water pollution due to highway runoff, and control of outdoor advertising as potential transportation enhancement activities.

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<sup>71</sup> Section 339.175(6)(i), F.S.

<sup>72</sup> Section 339.175(7), F.S.

<sup>73</sup> Section 339.175(7), F.S.

<sup>74</sup> Section 339.175(7), F.S.

## ***MPO Agreements and Accountability***

### ***Present Situation***

Currently, there are no MPO-specific statutory accountability provisions.

### ***Effect of Proposed Changes***

The bill authorizes each MPO to execute a written agreement with FDOT, which must be reviewed, and updated as necessary, every five years, which clearly establishes the cooperative relationship essential to accomplish state and federal transportation planning requirements. Roles, responsibilities, and expectations for accomplishing consistency with federal and state requirements and priorities must be set forth in the agreement. In addition, the agreement must set forth the MPO's responsibility, in collaboration with FDOT, to identify, prioritize, and present a complete list of multimodal transportation projects consistent with the metropolitan planning area's needs. It is FDOT's responsibility to provide projects in the state transportation improvement plan.

The bill requires FDOT to establish, in collaboration with each MPO, quality performance metrics such as safety, infrastructure condition, congestion relief, and mobility. Each MPO, as part of its LRTP, in direct coordination with FDOT, must develop targets for each performance measure within the metropolitan planning area. The performance targets must support efficient and safe movement of people and goods both within the metropolitan planning area and between regions. Each MPO must report progress toward establishing performance targets for each measure annually in its transportation improvement plan. FDOT must evaluate and post on its website whether each MPO has made significant progress toward its target for the applicable reporting period.

## **Strategic Intermodal System Highway Corridors (Section 16)**

### ***Present Situation***

Florida's Strategic Intermodal System (SIS) is its high priority network of transportation facilities important to the state's economy and mobility.<sup>75</sup> FDOT must plan and develop SIS highway corridors to allow for high-speed and high-volume.<sup>76</sup> SIS highway corridors include facilities on State Highway System<sup>77</sup> that meet FDOT-adopted criteria, including Interstate highways, the Florida Turnpike System, interregional and intercity limited access facilities, existing interregional and intercity arterial highways meeting certain standards, and new limited access facilities necessary to complete a balanced statewide system.<sup>78</sup>

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<sup>75</sup> FDOT, *Strategic Intermodal System*, <https://www.fdot.gov/planning/systems/sis> (last visited Mar. 28, 2025).

<sup>76</sup> Section 339.65(1), F.S.

<sup>77</sup> Section 334.03(24), F.S., defines the term "State Highway System" to mean the interstate system and all other roads within the state which were under the jurisdiction of the state on June 10, 1995, and roads constructed by an agency of the state for the State Highway System, plus roads transferred to the state's jurisdiction after that date by mutual consent with another governmental entity, but not including roads so transferred from the state's jurisdiction. These facilities shall be facilities to which access is regulated.

<sup>78</sup> Section 339.65(2), F.S.

FDOT must develop and maintain a plan of SIS highway corridor projects that it anticipates, to contract for construction within at least the next 20 years. This plan must also identify when SIS Highway Corridor segments will meet SIS standards and criteria.<sup>79</sup>

### ***Effect of Proposed Changes***

The bill requires FDOT, in its SIS highway corridors plan of projects, to prioritize projects affecting gaps in a corridor so that the corridor becomes contiguous in its functional characteristics.

## **Traffic Signal Modernization Program (Section 17)**

### ***Present Situation***

FDOT is required to adopt a uniform system of traffic control devices for use on the streets and highways of the state.<sup>80</sup> To meet this requirement, it has adopted the Federal Highway Administration's Manual on Uniform Traffic Control Devices (MUTCD).<sup>81</sup> The MUTCD is a compilation of national standards for all traffic control devices, including road markings, highway signs, and traffic signals. The MUTCD defines the standards used by road managers nationwide to install and maintain traffic control devices on all public streets, highways, bikeways, and private roads open to public travel.<sup>82</sup>

### ***Effect of Proposed Changes***

The bill requires FDOT to implement the Next-generation Traffic Signal Modernization Program (program), which consists of:

- Retrofitting existing traffic signals and controllers, and
- Providing a communication backbone for remote operations and management of such signals on the State Highway System and other road systems.

The bill requires FDOT to prioritize such signal upgrades based on average annual daily traffic and the impact of adding to an existing interconnected system.

Under the bill, the program must consist of an advanced traffic management platform that uses radar-camera fusion to deliver accurate detection in all weather conditions, offering fully integrated stop bar and advance detection, alongside dilemma zone and pedestrian protection.

In addition to supporting time-of-day signal timing plans, the program must provide real-time traffic optimization to improve flow and enhance safety.

The bill requires the program to be compliant with leading cybersecurity standards, such as SOC 2 and ISO 27001, in order to ensure robust data protection.

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<sup>79</sup> Section 339.65(4), F.S.

<sup>80</sup> Section 316.0745(1), F.S.

<sup>81</sup> Rule 14-15.010, F.A.C.

<sup>82</sup> Federal Highway Administration, *Manual on Uniform Traffic Control Devices*, <https://mutcd.fhwa.dot.gov/> (last visited April 4, 2025).

The bill provides that beginning in the 2025-2026 fiscal year and for 5 years thereafter, \$10 million must be allocated from the STTF to the program. Fifty percent of these funds must be used for roads that are not on the State Highway System through the use of grants that require a 50 percent funding match.

### **Greater Miami Expressway Agency (GMX) (Section 18)**

#### ***Present Situation***

Part I of ch. 348, F.S., creates the GMX in Miami-Dade County and a portion of Monroe County.<sup>83</sup> GMX operates and maintains the Airport Expressway (SR 112), the Dolphin Expressway (SR 836), the Don Shula Expressway (SR 874), the Snapper Creek Expressway (SR 878) and the Gratigny Parkway (SR 924).<sup>84</sup>

GMX's governing board consists of the following nine voting members:

- Four members, appointed by the Governor, subject to Senate confirmation, each of whom must be a permanent resident of Miami-Dade County;
- Two members, appointed by the Miami-Dade County Board of County Commissioners, who must be residents of an unincorporated portion of GMX's geographic boundaries<sup>85</sup> and reside within 15 miles of an area with the highest amount of agency toll roads;
- Two members, appointed by the MPO for a county GMX serves, who must be residents of incorporated municipalities within a county served by the GMX; and
- FDOT's district secretary serving in the district that contains Miami-Dade County serves as an ex officio voting member.<sup>86</sup>

Appointments made by the Governor and board of county commissioners of Miami-Dade County must reflect the state's interests in the transportation sector and represent GMX's intent, duties, and purpose, and have at least three years of professional experience in one or more of the following areas: finance; land use planning; tolling industry; or transportation engineering.<sup>87</sup>

#### ***Effect of Proposed Changes***

The bill amends s. 348.0304(3)(a), F.S., modifying the requirements for GMX governing body members. It deletes the requirement that two of the members (that are appointed by the Miami-Dade board of county commissioners) must reside within 15 miles of an area with the highest amount of agency toll roads. The bill requires such persons must, instead, reside within 15 miles of any GMX toll road. It maintains the requirement in current law that such persons must be residents of an unincorporated portion of GMX's geographic boundaries.

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<sup>83</sup> Section 348.0304(1), F.S.

<sup>84</sup> Greater Miami Expressway Agency, *History of Greater Miami-Expressway Agency*, <https://gmx-way.com/about/history> (last visited April 2, 2025).

<sup>85</sup> GMX serves the geographical boundaries of Miami-Dade County and the portion of northeast Monroe County including County Road 94 and the portion of Monroe County bounded on the north and east by the borders of Monroe County and on the south and west by County Road 94. *See* 348.0304(2), F.S.

<sup>86</sup> Section 348.0304(3)(a), F.S. Except for the FDOT district secretary, each member must be a permanent resident of either Miami-Dade or Monroe County and may not hold, or have held in the previous two years, elected or appointed office in such county.

<sup>87</sup> *Id.*

## **Interstate 4 Widening (Section 20)**

### ***Present Situation***

Included in FDOT's Moving Florida Forward Initiative is the acceleration of the addition of two new express lanes in each direction along Interstate 4 (I-4) from west of U.S. 27 in Polk County to east of World Center Drive (S.R. 536) in Orange County. FDOT is also accelerating the construction of two new congestion relief lanes, one in each direction, between U.S. 27 and east of World Drive.<sup>88</sup>

### ***Effect of Proposed Changes***

The bill provides legislative findings that widening of I-4 from U.S. 27 in Polk County to I-75 in Hillsborough County is in the state's public interest and the region's strategic interest to improve the movement of people and goods.

The bill requires FDOT to develop a report on the efficient widening I-4 from U.S. 27 in Polk County to I-75 in Hillsborough County. The report must include, but is not limited to, detailed cost projections and schedules for project development and environmental studies, design, acquisition of rights-of-way, and construction. The report must identify funding shortfalls and provide strategies to address such shortfalls, including, but not limited to, the use of express lanes toll revenues<sup>89</sup> generated on the I-4 corridor and FDOT funds available for public-private partnerships.<sup>90</sup> By December 31, 2025, FDOT must submit its report to the Governor, the President of the Senate, and the Speaker of the House of Representatives.

## **Conforming Change (Section 19)**

The bill reenacts s. 332.115, F.S., incorporating a change made to s. 332.004, F.S.

## **Effective Date (Section 21)**

The bill takes effect July 1, 2025.

## **IV. Constitutional Issues:**

### **A. Municipality/County Mandates Restrictions:**

None.

### **B. Public Records/Open Meetings Issues:**

None.

### **C. Trust Funds Restrictions:**

None.

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<sup>88</sup> FDOT, Moving I-4 Forward, <https://movingi4forward.com/> (last visited Mar. 28, 2025).

<sup>89</sup> Tolls on express lanes are authorized in s. 338.166, F.S.

<sup>90</sup> Public-private partnerships are authorized in s. 334.30, F.S.

D. State Tax or Fee Increases:

None.

E. Other Constitutional Issues:

None.

**V. Fiscal Impact Statement:**

A. Tax/Fee Issues:

None.

B. Private Sector Impact:

The bill will have an indeterminate negative fiscal impact on the private sector through increased insurance costs for FDOT contactors performing certain work over navigable waters (section 12).

C. Government Sector Impact:

The bill (section 1) requires certain counties to annually submit transportation project data to EDR and for EDR to compile such data. Such counties will incur indeterminate costs to compile and provide this data. EDR will also incur costs associated with compiling and submitting the required data.

The bill (section 4) prohibits publicly-owned airports from charging new landing fees for aircraft operations conducted by certain collegiate institutions for flight training purposes. This may lead to a reduction in revenue for these airports.

The bill (section 9) authorizes FDOT to expend up to \$5 million per fiscal year, from the STTF, in grants to state colleges and school districts to support offering elective courses in heavy civil construction. This provision authorizes transfer of state transportation funds to state colleges and school districts.

The bill (section 17) requires FDOT to implement a traffic signal modernization program and requires FDOT to allocate \$10 million annually for this program, with 50 percent of the funds being used for local roads.

The bill (section 20) requires FDOT to develop a report regarding the widening of I-4. FDOT will incur indeterminate costs to develop this report.

**VI. Technical Deficiencies:**

None.

**VII. Related Issues:**

None.

**VIII. Statutes Affected:**

This bill substantially amends the following sections of the Florida Statutes: 316.183, 316.187, 332.004, 332.006, 332.007, 334.044, 334.065, 337.11, 337.14, 337.185, 339.175, 339.65, and 348.0304.

This bill creates the following sections of the Florida Statutes: 218.3215, 330.355, 332.136, 334.63, and 339.85.

This bill reenacts s. 332.115 of the Florida Statutes.

This bill creates one undesignated section of Florida Statutes.

**IX. Additional Information:**

**A. Committee Substitute – Statement of Substantial Changes:**  
(Summarizing differences between the Committee Substitute and the prior version of the bill.)

**CS/CS/CS by Fiscal Policy on April 8, 2025:**

- Requires counties that receive proceeds from the Charter County and Regional Transportation Surtax to submit certain data on the use of such proceeds to the Office of Economic and Demographic Research.
- Prohibits publicly-owned airports from charging new landing fees for aircraft operations associated with flight training conducted by collegiate aviation programs.
- Creates a pilot program at the Sarasota-Manatee Airport Authority to determine the long-term feasibility of alternative permitting procedures for airports.
- Requires the President of the University of South Florida to approve certain advisory board members for the Center for Urban Transportation Research.
- Stipulates that the 18 month completion requirement for project development and environmental studies is to the maximum extent possible.
- Amends requirements regarding FDOT rejecting all bids by giving the lowest bidder the opportunity to negotiate the scope of work with a reduction in the contract price.
- Clarifies provisions regarding the selection of a single-design build firm for phase two of a phased design build project.
- Authorizes FDOT to waive prequalification for certain low-budget, quick turn-around contracts.
- Clarifies certain qualification requirements regarding FDOT maintenance contracts.
- Provides that arbitration requests related to warranty notices must be made within 360 days after such notice or 820 days after final acceptance whichever is later.
- Revises language relating to the purpose of metropolitan planning organizations to provide that it is in accordance with FDOT's mission statement.

- Creates a next-generation traffic signal modernization program to retrofit certain traffic signals and allocates \$10 million annually from the State Transportation Trust Fund for the program.
- Removes the following provisions from the bill:
  - Transfer of a portion of sales tax revenues to the State Transportation Trust Fund.
  - A statement that contractors provide a service to FDOT.
  - A requirement that if FDOT creates a new contract as part of a settlement of a bid protest, it must competitively bid the new contract.
  - Repeal of the Metropolitan Planning Organization Advisory Council.
- Makes technical and conforming changes.

**CS/CS by Regulated Industries on April 1, 2025:**

- Removes a requirement that certain contract-related lawsuits by and against the FDOT related to warranty and construction defect claims made after final acceptance, must be made within 360 days after notification of the claim.
- Removes portions of the bill relating to utility relocation—specifically, the following:
  - A requirement that certain underground utility facilities be electronically detectable;
  - A requirement that utility owners pay authorities (FDOT and local jurisdictions) reasonable damages for failure or refusal to timely remove or relocate a utility;
  - Requirements for the use of as-built plans as it relates to completed utility work in the right-of-way;
  - An authorization for FDOT, if certain conditions are met, to reimburse a utility owner for a portion of the utility owner’s relocation costs;
  - Procedures for FDOT and the utility owner to follow related to notice requirements, the submission of relocation plans, and the need for additional work; and
  - A requirement that FDOT establish mediation boards to resolve utility-related disputes and requirements for such boards.
- Revises the governing body of the nine-member Greater Miami Expressway Agency. It deletes the requirement that two of the members (that are appointed by the Miami-Dade board of county commissioners) must reside within 15 miles of an area with the highest amount of agency toll roads. The committee substitute replaces this requirement with one that such persons must, instead, reside within 15 miles of any agency toll road.

**CS by Transportation on March 19, 2025:**

- Revises the monthly distribution of sales tax revenues to the STTF to \$4.167 million.
- Increases maximum allowable highway speed limits on certain highways by 5 miles per hour.
- Authorizes public-use airports to participate in the FAA’s Airport Investment Partnership Program and to contract with a private partner to operate the airport under lease or agreement.
- Makes airports operating under public-private partnership agreements eligible for certain aviation-related funding.



- Revises the membership of the board for the Center for Urban Transportation Research at the University of South Florida.
- Revises provisions regarding FDOT's requirements if it receives bids outside of its criteria to automatically award the bid.
- Requires the utility owner to pay actual, instead of reasonable, damages and costs associated with its failure or refusal to timely relocate utilities.
- Authorizes FDOT to reimburse the utility owner for a portion of its utility relocation costs if certain conditions are met.
- Authorizes FDOT to withhold amounts due to a utility owner or withhold the issuance of new permits to the utility owner in the same FDOT district where the utility relocation is located, if the utility owner is not meeting certain obligations.
- Provides that the members of FDOT's mediation boards are compensated for their services.
- Revises provisions relating to MPOs, including requiring the exchange of best practices, and accountability and transparency requirements, and the repeal of the MPOAC.
- Clarifies the scope of FDOT's report on the widening of I-4.
- Makes other technical and conforming changes.

B. Amendments:

None.